

STATE OF WYOMING )  
 ) ss.  
COUNTY OF PLATTE )

IN THE DISTRICT COURT  
EIGHTH JUDICIAL DISTRICT

Civil Action No.

2022-38

CHERIE WILSON, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
FAMILY DOLLAR, INC, a North Carolina )  
corporation, d/b/a Family Dollar in Wheatland )  
Wyoming, )  
 )  
Defendant. )

**FILED**

**MAY 23 2022**

MONA McAULEY  
CLERK OF THE DISTRICT COURT  
DEPUTY

**COMPLAINT**

Plaintiff alleges:

1. Plaintiff was at all times relevant hereto a resident of Wheatland, Platte County, Wyoming.
2. At all times relevant hereto, Defendant Family Dollar, Inc., a North Carolina Corporation was doing business as Family Dollar located at 1303 16th St, Wheatland, WY 82201, while its principal place of business was at 500 Volvo Parkway, Chesapeake, Virginia, 23320. Defendant's Registered Agent for service of process is Corporation Services Company, 1821 Logan Ave. Cheyenne, Wyoming 82001.
3. Defendant, at all times relevant hereto, was the owner of Family Dollar located at 1303 16th St, Wheatland, WY 82201.
4. Venue in this action is proper in Platte County, Wyoming, given that all of the alleged facts occurred in Platte County, Wyoming
5. The amount in controversy in this action exceeds the amount required to confer jurisdiction upon this court.

6. On or about December 15, 2019, Cherie Wilson stopping at the Family Dollar in Wheatland for shopping. Upon leaving the building she proceeded up the sidewalk towards her vehicle when she slipped and fell on ice that had developed on the sidewalk and was seriously injured.

7. The down-spouts on the building at issue dumped the drainage water from snow run-off and other precipitation directly on to the sidewalk, allowing pools of water to form, freeze and create an extremely dangerous condition for the public using the sidewalks. (See photos below)



8. As a result of the fall, Plaintiff has received personal injuries which were solely the fault of the Defendant.

9. Defendant was negligent in the operation of their building which created a dangerous condition and caused Plaintiff's injuries. They failed to maintain the building in a safe manner, failed that day to recognize the dangerous man-made condition and remedy the situation, and failed to warn the public of any potential hazards on the sidewalk.

10. Defendant was very aware of the dangerous condition caused by the down-spouts given the fact that people had been injured over the years by the very same drainage danger, and yet Defendant never did anything to remedy the dangerous condition they created.

11. As a proximate result of the negligence of Defendant, Plaintiff has suffered and will in the future suffer personal injuries of physical and mental pain and anguish; permanent disability/disfigurement; lost income; loss of enjoyment of life, past and future; incurred expenses of necessary medical care and treatment, and will incur more of such expenses in the future; and has incurred and will in the future incur additional costs.

#### **PUNITIVE DAMAGES AGAINST DEFENDANT**

12. The acts and omissions of Defendant, in creating a dangerous condition and ignoring many warnings and prior injuries caused by the dangerous condition they created, was willful and wanton misconduct, if not intentional misconduct, and is grounds for awarding punitive damages to Plaintiff.

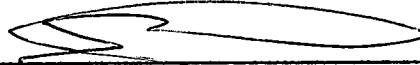
WHEREFORE, Plaintiff demands judgment against the Defendant as follows:

- 1) For an amount that will reasonably compensate her for all injuries and damages sustained;
- 2) Punitive damages sufficient to deter Defendant and others similarly

situated from such behavior in the future;

- 3) For interest as allowed by law;
- 4) For Plaintiff's costs, disbursements and reasonable attorney's fees incurred herein; and
- 5) For such other and further relief as the Court may deem proper.

Dated this 20<sup>th</sup> day of May, 2022.



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